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SUBJECT: FARC DESERTIONS ON THE RISE; LEGAL HURDLES FOR
SENIOR FARC DEMOBILIZATIONS

Classified By: Political Counselor John S. Creamer.
Reason: 1.4(b,d)

SUMMARY

1. (C) The Ministry of Defense's \$21 million budget for humanitarian aid, rewards, and public outreach continue to promote FARC desertions. FARC desertions hit a record 2480 in 2007, and 1278 have deserted through May 2008. Still, Colombia's constitutional prohibition against granting amnesty or a pardon to individuals alleged to have committed gross human rights abuses has complicated GOC efforts to persuade senior FARC commanders to demobilize. On June 13, Uribe announced that the GOC would not extradite FARC members who freed Ingrid Betancourt or other hostages and would facilitate their passage to a third country. Several senior FARC members have reportedly voiced interest in demobilizing with some of the FARC's hostages if they are assured they would not serve any jail time. End Summary.

FARC Desertions Program Working

2. (SBU) The MOD has a \$21 million budget for humanitarian aid, rewards, and public outreach to encourage FARC members to demobilize. Nearly 80% of FARC deserters initially approach military or police personnel to express their will to demobilize. After signing a pledge to put down their arms, they immediately receive clothing and food. Colombian military (Colmil) intelligence units interview the demobilized - in the zone where they demobilize, not necessarily in Bogota - and submit their file to the Operative Committee for Abandoning Arms (CODA) to certify whether they have committed gross human rights abuses and should be detained for further investigation and judicial processing, or whether they should be charged with the lesser, "political," offense of membership in a terrorist organization.

3. (SBU) Those charged with political crimes receive a pardon under Law 782 and are provided with a national identification card as well as a special demobilized identity card, monitored housing, food, psychosocial, health and other services with a total value of about \$600 per family per month. The GOC has established housing zones in six cities, including Bogota, Cali, Villavicencio, Medellin, Ibague, and

Barranquilla where patrol cars provide security. Following final CODA certification, they can join the National Reintegration Program similar to demobilized paramilitaries. So far, CODA has certified 8762 and denied 889 demobilized FARC.

¶4. (C) The Minister of Defense's Rewards program has already distributed \$9 million since 2002. MOD officials stressed Pedro Pablo Montoya Cortes ("Rojas") will receive nearly \$1 million for intelligence information and the handover of Rios' computer--not for Rios' death. Two hostages previously kidnapped by Rojas are claiming a portion of the reward money, at least to cover the money paid by their families for their release. The MOD also offers financial incentives to demobilized FARC who hand in their weapons, including \$10,000 for air-land missiles, \$2000 for M-60 machine guns, \$300 for pistols, and \$100 for grenades.

Desertions on the Rise

¶5. (C) Sustained, targeted Colombian military pressure--coupled with the demobilization program--have resulted in higher than ever numbers of FARC desertions. 2480 FARC deserted in 2007, a 53% increase from the previous year, and 1278 more FARC deserted through May 2008. In addition to the increased numbers, MOD officials told us the "quality" of FARC deserters is also improving. The deaths of FARC Secretariat members Manuel Marulanda, Ivan Rios, and Raul Reyes in recent months, along with the desertion of FARC 47th Front leader "Karina," have hit FARC morale and encouraged further desertions. Karina is expected to enter the Justice and Peace Law process as provided for in Decree 1059 that offers FARC deserters similar legal benefits to those given to demobilized paramilitaries. MOD officials told us Karina would be charged for seven crimes against humanity.

¶6. (C) Since 2002, 9824 FARC have deserted. Among the 1278 FARC deserters so far this year, 552 are footsoldiers, 503 are militias, 161 are mid-level commanders, 47 are specialists, and 15 are political commissars. The highest number of FARC deserters this year have come from the 16th Front in Vichada (129) followed by the 47th Front in Antioquia-Caldas (91) and the 32nd Front in Putumayo (78). All demobilized are treated equally for certification, but commanders and operatives who may offer intelligence information undergo a longer screening and interview process. MOD officials acknowledge the problem of treating low-ranking soldiers and commanders equally, especially since many commanders expect more generous benefits.

Legal Obstacles Complicate Desertions
of Senior FARC Commanders

¶7. (C) Despite the program's successes, the GOC continues to face legal obstacles that hinder its efforts to persuade senior FARC commanders to demobilize. Defense Vice Minister Sergio Jaramillo told us the GOC's inability to promise FARC commanders no jail time has dissuaded several from demobilizing. Peace Commissioner Luis Carlos Restrepo confirmed on June 19 that FARC member Fabian Ramirez has contacted him through intermediaries, claiming he is holding Ingrid Betancourt and is interested in going to France in exchange for her release. Another FARC member, "Cadete," approached the Department of Administrative Security (DAS) about demobilizing with a hostage and asked for a GOC commitment not to extradite him to the United States. Father Dario Echeverri told us separately on June 13 that FARC 1st Front commander "Cesar" has voiced interest in demobilizing and handing over Ingrid. In exchange, Cesar asked for passage to France for himself, his wife, daughter, and other FARC who surrendered with him.

¶8. (C) Jaramillo and Restrepo told us the GOC continues to look for a way around this issue. President Uribe announced

on June 13 that he would not extradite FARC members holding Ingrid Betancourt if they released her. He previously offered \$100 million and safe travel to a third country (most likely France) to FARC commanders who demobilized with hostages. Earlier in March, Uribe signed decree 880 which allows the GOC to apply the Justice and Peace Law alternative five-to-eight year sentence, as well as conditional freedom, for demobilized FARC involved in a humanitarian exchange accord. Still, Constitutional Court magistrate Rodrigo Escobar Gil Cordoba told us on June 23 that the legality of the GOC commitment to provide FARC safe passage to a third country--as well as the scope of decree 880--remains doubtful.

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